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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/783,842	02/15/2001	Diana Brown Nolte	290-035us	2576

7590 06/25/2004

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EXAMINER
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YUSSUF, SAJID

ART UNIT	PAPER NUMBER
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2141

DATE MAILED: 06/25/2004

8

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/783,842

Applicant(s)

NOLTE ET AL.

Examiner

Sajid A Yussuf

Art Unit

2141

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 15 February 2001 and 03 March 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 February 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☒ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>5 / 2/15/01</u> . | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

***Oath/Declaration***

1. The oath or declaration is defective. A new oath or declaration in compliance with 37 CFR 1.67(a) identifying this application by application number and filing date is required. See MPEP §§ 602.01 and 602.02.

The oath or declaration is defective because:  
It does not include the notary's signature, or the notary's signature is in the wrong place.

***Specification***

2. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

4. The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

**5. Claim(s) 1-24 is/are rejected under 35 U.S.C. 102(e) as being anticipated by Alpdemir et al. (US Patent Application Publication No. 2002/0035474 and Alpdemir hereinafter).**

6. As per claim(s) 1, 7, 13, 19 Alpdemir discloses receiving, via a data network, at least one keyword from a patron; querying a database with said at least one keyword to determine a plurality of candidate resource providers; transmitting a list of said plurality of candidate resource providers to said patron; receiving from said patron an indication that said patron desires a telecommunication session with one of said candidate resource providers, and initiating a telecommunication session between said patron and said one of said candidate resource providers, (See Paragraph(s) 0136-0141).

7. As per claim(s) 2, 8, 14, 20 Alpdemir teaches the claimed invention as described in claim(s) 1, 7, 13, 19 above and furthermore discloses said telecommunication session is a voice telecommunication session and said telecommunication session is established via a public switched telephone network, (See Paragraph(s) 0136-0138).

8. As per claim(s) 3, 9, 15, 21 Alpdemir teaches the claimed invention as described in claim(s) 1-2, 7-8, 13-14, 19-20 above and furthermore discloses said telecommunication session is a voice telecommunications session and said telecommunication session is established via said data network, (See Paragraph(s) 0136-0139).

9. As per claim(s) 4, 10, 16, 22 Alpdemir teaches the claimed invention as described in claim(s) 1-3, 7-9, 13-15, 19-21 above and furthermore discloses said telecommunication session is text telecommunication session and said telecommunication session is established via said data network, (See Paragraph(s) 0119-0131).

10. As per claim(s) 5, 11, 17, 23 Alpdemir teaches the claimed invention as described in claim(s) 1-4, 7-10, 13-16, 19-22 above and furthermore discloses an operator of said data processing system selects said resource provider based on whether said resource provider is immediately available to communicate with said patron, (See Paragraph(s) 0222-0230).

11. As per claim(s) 6, 12, 18, 24 Alpdemir teaches the claimed invention as described in claim(s) 1-5, 7-11, 13-17, 19-23 above and furthermore discloses said data processing system is a world wide web site and said data network is the Internet, (See Paragraph(s) 0119).

#### **Conclusion**

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a. Black et al. (US Patent No. 6,735,585) discloses method for search engine generating supplemented search nor included in conventional search result identifying entity data related to portion of located web page;

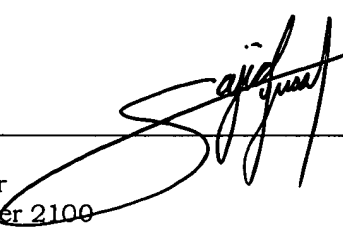
b. Bryan et al. (US Patent No. 6,658,414) discloses methods, systems, and computer program products for generating and providing access to end-user-definable voice portals; and

c. Nashed (US Patent No. 6,654,749) discloses method and system for searching indexed information databases with automatic user registration via a communication network;

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sajid A Yussuf whose telephone number is (703) 305-8752. The examiner can normally be reached on Monday-Thursday 7:30-5:00 PM and Alternate Fridays.

14. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on (703) 305-4003. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

15. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Sajid Yussuf  
Patent Examiner  
Technology center 2100  
16 June 2004

  
RUPAL DHARIA  
SUPERVISORY PATENT EXAMINER